IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

FRIDAY, THE 8TH JUNE 2007 / 18TH JYAISHTA 1929

LA. App. No. 581 of 2003

LAR.273/2000 of SUB COURT, KOZHIKODE
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APPELLANT/RESPONDENT:

STATE OF KERALA, REPRESENTED BY SPECIAL TAHSILDAR (LA) N.H KOZHIKODE.

BY GOVERNMENT PLEADER SMT. K.R. DEEPA.

RESPONDENTS/CLAIMANTS:
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1. **K.VASU NAMBISSAN, KAZHAKKAPARA HOUSE, NELLICODE POST, KOZHIKODE.**
2. **NARAYANAN NAMBISSAN, KAZHAKKAPPARA HOUSE, NELLICODE POST, KOZHIKODE.**
3. **SANKARAN NAMBISAN, KAZHAKKAPARA HOUSE, NELLICODE POST, KOZHIKODE.**
4. **JANAKI, KAZHAKKAPARA HOUSE, NELLICODE POST, KOZHIKODE.**
5. **RADHA, KAZHAKKAPARA HOUSE, NELLICODE POST, KOZHIKODE.**
6. **VIJAYAKUMARI, KAZHAKKAPARA HOUSE, NELLICODE POST, KOZHIKODE.**
7. **GIRIJA, KAZHAKKAPARA HOUSE, NELLICODE POST, KOZHIKODE.**
8. **REMA, KAZHAKKAPARA HOUSE, NELLICODE POST, KOZHIKODE.**
9. **NARAYANAN, KAZHAKKAPARA HOUSE, NELLICODE, KOZHIKODE.**

BY ADV. SMT. T. RESMI DAMODARAN

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 08/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & T.R. RAMACHANDRAN NAIR, JJ.

L.A.A. NO. 581 OF 2003

Dated this the 8th day of June, 2007.

J U D G M E N T

Kurian Joseph, J.

This is an appeal filed against the judgment and decree in L.A.R. No. 273/2000 on the file of Sub Court, Kozhikode. Acquisition is for the purpose of Calicut bye pass. The Reference Court has fixed the land value at the rate of Rs. 30,000/- per cent. An amount of Rs. 50,000/- was also awarded towards severance compensation.

2. It is seen that the property is situated at Nellicode Amsom in Kozhikode Corporation and is lying on the southern side of T.P. Kumaran Nair road, which is on the east of Thondayad Bazaar. It is also on the eastern side of Medical College road. There are important institutions like Kerala Kaumudi press, Presentation High School etc. within 1.5 K.Ms.

In several cases this Court has fixed the land value at much higher rates. We also find that the fixation of land value at the

rate of Rs. 30,000/- per cent is on the basis of evidence available on record and the respondents did not have any contra evidence. Thus, there is no merit in this appeal and it is accordingly dismissed.

KURIAN JOSEPH
JUDGE

T.R. RAMACHANDRAN NAIR
JUDGE

smp